

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-084-T - ORDER NO. 96-392
JUNE 10, 1996

IN RE: Application of Danny R. Croxdale DBA)
Affordable Moving for a Class E Certi-)
ficate of Public Convenience and)
Necessity.)

ORDER
DENYING
REQUESTS

This matter comes before the Public Service Commission of South Carolina (the Commission) on the requests to reconsider the denial of Petitions to Intervene Out-of-Time and requests to rescind authority granted to the Applicant filed by John E. Austin, Jr. on behalf of Austin Moving & Storage Co., Inc., P. A Carey on behalf of Carey Moving & Storage, Inc., Alan L. Spatz on behalf of Arrow Moving & Storage, Inc., M. A. Carey on behalf of Carey Moving & Storage, Bill Bland on behalf of Lytle's Transfer & Storage, Inc., and Robert L. Clusterman on behalf of Greenville-Spartanburg Moving & Storage Co., Inc. In addition to the requests, a response in opposition has been filed by Robert Stoddard, Esquire, on behalf of Danny R. Croxdale DBA Affordable Moving.

On May 15, 1996, this Commission issued Order No. 96-350, dismissing the Petitions to Intervene Out-of-Time filed by the above-stated persons, and granted a Certificate of Public Convenience and Necessity to render motor freight service in favor


of Danny R. Croxdale DBA Affordable Moving Service. Subsequently, the persons as mentioned above requested that this Commission reconsider its decision to deny the Petitions to Intervene Out-of-Time. These persons also ask that the authority granted in Order No. 96-350 be rescinded.

Regulation R.103-881 governs Petitions for Reconsideration in the transportation area. Regulation 103-881(B) states: "except as otherwise provided... any party of record may, within twenty (20) days after the date of receipt of Order, petition the Commission for rehearing or reconsideration." (emphasis added)

The above stated Regulation is clear that requests for reconsideration may only be made by parties of record in a case. The Applicants above were never parties of record in this case, therefore, they have no standing to request reconsideration of Commission Order No. 96-350. The requests for reconsideration and the requests for rescission of authority are therefore denied accordingly.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)